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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/422,976	10/22/1999	MICHAEL CARROLL	52817.000082	6195
29315	7590	02/13/2004		EXAMINER
MINTZ LEVIN COHN FERRIS GLOVSKY AND POPEO PC 12010 SUNSET HILLS ROAD SUITE 900 RESTON, VA 20190			QUELER, ADAM M	
			ART UNIT	PAPER NUMBER
			2178	

DATE MAILED: 02/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/422,976	Applicant(s) CARROLL, MICHAEL
	Examiner Adam M Queler	Art Unit 2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 26 November 2003.

2a)  This action is **FINAL**.                    2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)  Claim(s) 1-26 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-26 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 11.

4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_ .  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_\_

## DETAILED ACTION

1. This action is responsive to communications: IDS filed 10/20/2003, RCE and Amendment B filed 11/26/2003.
2. Claims 1-26 are pending in the case. Claims 1, 16, 20, and 23 are independent claims.
3. The rejection of claim 8 under § 112 has been withdrawn in view of the Applicant's amendment.
4. The rejections of claims 1-8, 11-12, 14-18, 20-21, and 23-25 as being anticipated by W3C, and claims 9-10, and 22 as being obvious over W3C, have been withdrawn in view Applicant's amendment.

### *Claim Rejections - 35 USC § 102*

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

6. **Claims 1-8, 11-12, 14-18, 20-21, and 23-25 are rejected under 35 U.S.C. 102(a) as being anticipated by “HTML 4.0 Specification, W3C Recommendation”, revised on 24-Apr-1998, hereinafter W3C.**

**Regarding independent claim 1**, W3C discloses a method of storing structure information for two independently formattable regions and storing content information, wherein the structure is governed by structure information and the content is governed by content information (§16.1). The two regions are defined within a frameset with frame tags. The content information as defined in the claim governs the content. The ‘src’ attribute containing the URL governs the

content of the region. Both this content information and the structure information are stored in the same file.

**Regarding independent claims 16 and 23**, W3C discloses a method of storing structure information for two independently formattable regions and storing content information. The two regions are defined within a frameset with frame tags. The content information as defined in the claim is associated with the content. The 'src' attribute containing the URL is associated with the content of the region. Both this content information and the structure information are stored in the same file.

**Regarding dependent claims 17 and 24**, W3C teaches the structure is governed by structure information and the content is governed by content information (§16.1). The 'src' attribute containing the URL governs the content of the region.

**Regarding independent claims 20**, the computer program for executing the method of claim 1 is rejected under the same rationale.

**Regarding dependent claim 2**, W3C teaches each region is associated with pre-selected information as shown by the source URL (§16.1)

**Regarding dependent claim 3**, W3C teaches storing attribute information further associated with the structure information (p. 197-198, "Attribute definition" and "Attributes defined elsewhere").

**Regarding dependent claim 4**, W3C teaches the attributes id, class, and style are capable within the frame tag (p. 198, bullet points). These all allow attributes associated with style sheets (chapter 16), including background color (p. 171, last sentence).

**Regarding dependent claim 5**, W3C discloses the region is associated with content information as shown in claim 1 above.

**Regarding dependent claim 6**, W3C discloses the region is associated with content information as shown in claim 1 above, and attribute information as shown in claim 3 above.

**Regarding dependent claim 7**, on page 6 lines 23-26, an email message is defined as the preferred embodiment which as been shown in 3 and 5. As the code shown in Fig. 3 is normal HTML (augmented by the current invention) and nothing specifically regarding email, the limitation of corresponding to email, as well as the arbitrary designation of the two sections as header and footer, is deemed to be non-functional descriptive data.

**Regarding dependent claim 8**, the attribute information disclosed in claim 3 is located in the same file as the content and structure information as disclosed in claim 1 (§16.1).

**Regarding dependent claim 11**, W3C discloses a region having a predetermined name (p. 197, “name”). W3C also teaches having a default region attribute (p. 198, “frameborder”).

**Regarding dependent claim 12**, W3C discloses the default value can be over ridden by it’s possible values of 0 or 1 (p. 198, “frameborder”).

**Regarding dependent claim 14**, W3C teaches the content information as taught in claim 1 above. This information is linked to the actual content therefore it is linked information.

**Regarding dependent claim 15, 18, 21, and 25**, W3C teaches one of the attribute fields comprises a functional attribute, such as its class (p. 198, bullet points). The class can be used to convey that the region has a specific function and will be treated differently as such (p. 172, top two examples).

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. **Claims 9-10, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over W3C.**

**Regarding dependent claim 9 and 22,** W3C teaches a file as recited in claim 8 above. W3C is silent as to storing the information in a table. However since a table was a well-known structure to store data, it would have been obvious to one of ordinary skill in the art at the time of the invention to use a table so that the information would be easier to read.

**Regarding dependent claim 10,** W3C teaches a document management file in the form of a standardized markup language as recited in claim 8 above. W3C does not teach translating it from the table of claim 9. However, given the obviousness of the table of claim 9, it would have been further obvious to one of ordinary skill in the art at the time of the invention, to translate the table into a markup language so that it could be read by standard browsers.

9. **Claims 13, 19, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over W3C in view of Fields et al. (USPN 6128655—filed 6/10/1998) hereinafter Fields.**

**Regarding dependent claims 13, 19 and 26,** W3C is silent as translating into a plurality of HTML documents. Fields teaches a method for splitting parts of a web page to an HTML file (col. 3, ll. 2-9). It would have been obvious to one of ordinary skill in the art at the time of the

invention to combine Fields and W3C, which would create a plurality of web pages, so that content could be reused with no licensing fees (Fields, col. 2, ll. 39-40).

***Response to Arguments***

10. Applicant's arguments with respect to claims 1-26 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

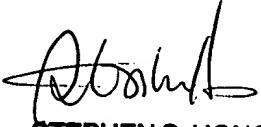
11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam M Queler whose telephone number is (703) 308-5213. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R Herndon can be reached on (703) 308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AQ



STEPHEN S. HONG  
PRIMARY EXAMINER